

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Genevieve Lamont	Team: Squad #08	CCRB Case #: 202000634	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input checked="" type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 01/10/2020 11:00 PM, Friday, 01/22/2021 12:00 AM	Location of Incident: 1060 Anderson Avenue	18 Mo. SOL 2/24/2022	Precinct: 44		
Date/Time CV Reported Fri, 01/10/2020 11:22 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 01/24/2020 11:09 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Andrew Alvarado	23931	962919	044 PCT
2. POM Adam Keegan	03588	959722	044 DET
3. POM Vincent Mauro	18615	958892	044 DET
4. An officer			

Officer(s)	Allegation	Investigator Recommendation
A . POM Andrew Alvarado	Abuse: Police Officer Andrew Alvarado stopped § 87(2)(b)	
B . POM Adam Keegan	Abuse: Police Officer Adam Keegan stopped § 87(2)(b)	
C . POM Vincent Mauro	Abuse: Police Officer Vincent Mauro stopped § 87(2)(b)	
D . POM Vincent Mauro	Abuse: Police Officer Vincent Mauro frisked § 87(2)(b)	
E . POM Adam Keegan	Abuse: Police Officer Adam Keegan frisked § 87(2)(b)	
F . POM Vincent Mauro	Abuse: Police Officer Andrew Alvarado searched § 87(2)(b)	
G . POM Adam Keegan	Abuse: Police Officer Adam Keegan searched § 87(2)(b)	
H . An officer	Abuse: An officer strip-searched § 87(2)(b)	
I . POM Andrew Alvarado	Discourtesy: Police Officer Andrew Alvarado acted discourteously toward § 87(2)(b)	
J . POM Adam Keegan	Abuse: Police Officer Adam Keegan searched the vehicle in which § 87(2)(b) was an occupant.	
K . POM Andrew Alvarado	Force: Police Officer Andrew Alvarado used physical force against § 87(2)(b)	
L . POM Adam Keegan	Force: Police Officer Adam Keegan used physical force against § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
M . POM Vincent Mauro	Force: Police Officer Vincent Mauro used physical force against § 87(2)(b)	
N . POM Andrew Alvarado	Force: Police Officer Andrew Alvarado used physical force against § 87(2)(b)	
O . POM Adam Keegan	Force: Police Officer Adam Keegan used physical force against § 87(2)(b)	
P . POM Vincent Mauro	Force: Police Officer Vincent Mauro used physical force against § 87(2)(b)	
Q . POM Adam Keegan	Force: Police Officer Adam Keegan used physical force against § 87(2)(b)	
R . POM Andrew Alvarado	Untruthful Stmt.: On January 22, 2021, PO Andrew Alvarado provided a false official statement to the CCRB.	

Case Summary

On January 10, 2020, § 87(2)(b) filed the following complaint with the Internal Affairs Bureau (IAB), generating original IAB log 2020-1685. The CCRB received the complaint on January 24, 2020.

On January 10, 2020, at approximately 11:00 p.m., § 87(2)(b) was with her father, § 87(2)(b) who was in a parked car near 1060 Anderson Avenue in the Bronx. Her mother, § 87(2)(b) was also with her, but had went to the store. § 87(2)(b) and § 87(2)(b) were approached by three plainclothes officers, PO Andrew Alvarado, PO Adam Keegan, and PO Vincent Mauro, all from the 44th Precinct, who ordered § 87(2)(b) out of the car; PO Mauro and PO Keegan then frisked § 87(2)(b) and PO Alvarado and PO Keegan later searched him (**Allegations A through G: Abuse of Authority; § 87(2)(g)**). During the search, one officer allegedly reached down § 87(2)(b) pants' and felt his genital area (**Allegation H: Abuse of Authority; § 87(2)(g)**). During this, PO Alvarado reached out and patted § 87(2)(b) on his stomach and tapped him on the shoulder (**Allegation I: Discourtesy; § 87(2)(g)**). After § 87(2)(b) was searched, PO Keegan then searched the car (**Allegation J: Abuse of Authority; § 87(2)(g)**).

During the search, § 87(2)(b) returned and approached the officers. The officers then began pushing § 87(2)(b) and § 87(2)(b) who had also approached, back towards the sidewalk; § 87(2)(b) attempted to reach § 87(2)(b) and § 87(2)(b) but was pushed back by PO Alvarado (**Allegations K through Q: Force; § 87(2)(g)**). § 87(2)(b) was ultimately arrested and was taken back to the 44th Precinct stationhouse, where she was issued a summons for § 87(2)(b) [BR01].

The investigation determined that PO Alvarado made a false official statement during his CCRB interview (**Allegation R: Untruthful Statements; § 87(2)(g)**).

The investigation received body-worn camera (BWC) footage from PO Alvarado, PO Keegan, and PO Mauro [BR02 through BR06, respectively]. § 87(2)(b) provided two cellphone videos of the incident, one she took, and another taken by an unknown witness [BR07 and BR08, respectively].

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Andrew Alvarado stopped § 87(2)(b)
Allegation (B) Abuse of Authority: Police Officer Adam Keegan stopped § 87(2)(b)
Allegation (C) Abuse of Authority: Police Officer Vincent Mauro stopped § 87(2)(b)
Allegation (D) Abuse of Authority: Police Officer Vincent Mauro frisked § 87(2)(b)
Allegation (E) Abuse of Authority: Police Officer Adam Keegan frisked § 87(2)(b)
Allegation (F) Abuse of Authority: Police Officer Andrew Alvarado searched § 87(2)(b)
Allegation (G) Abuse of Authority: Police Officer Adam Keegan searched § 87(2)(b)
Allegation (H) Abuse of Authority: An officer strip-searched § 87(2)(b)
Allegation (I) Discourtesy: Police Officer Andrew Alvarado acted discourteously toward § 87(2)(b)
Allegation (J) Abuse of Authority: Police Officer Adam Keegan searched the vehicle in which § 87(2)(b) was an occupant.

§ 87(2)(b) testified that he was sitting in the front passenger seat of his car, which was parked between 1052 and 1060 Anderson Avenue, and that § 87(2)(b) was standing on the sidewalk, talking to a friend. They were waiting for § 87(2)(b) to come back, as she was shopping at a store nearby. § 87(2)(b) did not smoke marijuana prior to the incident and did not observe anyone present doing so. After 15 to 30 minutes, PO Mauro approached § 87(2)(b) window on the front passenger side. He was accompanied by PO Keegan and PO Alvarado. § 87(2)(b) was familiar with PO Mauro prior to this incident. PO Keegan asked § 87(2)(b) "Where's the marijuana?" and what he was smoking and drinking. PO Keegan then opened the car door and grabbed § 87(2)(b) by the arm. § 87(2)(b) then exited the vehicle. He turned around to face his car

and PO Keegan and PO Mauro patted down § 87(2)(b) body. He felt one of the officers go into his jacket pocket, pull out his keys, and place the keys back in his pocket. § 87(2)(b) also felt an officer reach his hand down his pants and pat his genital area, although he could not see which officer did this, as he was facing his car. At one point, PO Keegan entered § 87(2)(b) car and began searching it, as well as § 87(2)(b)'s purse, which was also in the vehicle [BR09].

§ 87(2)(b) testified that she was waiting with § 87(2)(b) for about 10 to 20 minutes, when they were approached by PO Alvarado, PO Keegan, and PO Mauro. § 87(2)(b) stated that she had a glass of champagne prior to the officers approaching, although she did not state how long before the incident or if the champagne was on scene. Neither § 87(2)(b) or § 87(2)(b) had been drinking and no one had smoked marijuana. The officers approached § 87(2)(b) in the vehicle and told him to exit the vehicle. § 87(2)(b) attempted to approach the officers, but they told her to back up. PO Keegan then searched § 87(2)(b) although she could not see where he made contact with him. PO Keegan then searched the vehicle, searching under the seats, the sides of the doors, the middle compartment, the trunk, and § 87(2)(b)'s bag, which was inside the car. § 87(2)(b) stated that none of the officers informed them why they had initiated the stop. § 87(2)(b) stated that when § 87(2)(b) asked the officers what cause they had to search him and asked the officers to stop touching him, PO Alvarado responded, "I can touch you" while pushing on § 87(2)(b) chest [BR10].

§ 87(2)(b) did not see the initial stop, search of § 87(2)(b) or search of the vehicle. She left § 87(2)(b) and § 87(2)(b) to use the bathroom in her apartment, where she also ate something and spoke with a neighbor. She was gone for about 30 minutes. When she returned, she saw § 87(2)(b) and § 87(2)(b) arguing with the three officers [BR11].

PO Alvarado testified that § 87(2)(b) was the only occupant of the vehicle which was parked in a no-standing zone. He, PO Mauro, and PO Keegan approached the vehicle, and, as he was approaching, smelled the odor of marijuana. Upon approaching the vehicle, PO Keegan went to the driver side and began speaking with § 87(2)(b). PO Alvarado went to the passenger side, but could not hear PO Keegan's conversation and did not know if he informed § 87(2)(b) that they smelled marijuana in the vehicle. PO Keegan asked § 87(2)(b) to step out of the vehicle, which he complied with, and was directed to the rear of the vehicle. PO Alvarado remained with § 87(2)(b) while PO Mauro and PO Keegan searched § 87(2)(b) vehicle. He stated that he did not recall if he frisked § 87(2)(b) and did not recall if another officer did. After § 87(2)(b) exited, a crowd of four or five people began to form on the sidewalk, who began shouting at the officers. One person in the crowd was § 87(2)(b) who was recording the officers. Aside from informing § 87(2)(b) that his car smelled like marijuana and that he was parked in a no-standing zone, he did not have any other interaction with § 87(2)(b) [BR12].

PO Mauro also testified that they stopped § 87(2)(b) for being parked in a no-standing zone. He was familiar with § 87(2)(b) prior to this incident from around the neighborhood, although he did not elaborate on this relationship. Upon approaching the vehicle, PO Mauro smelled the odor of lit marijuana. By the time he reached the driver door, § 87(2)(b) was already exiting the car. PO Mauro and PO Alvarado went with § 87(2)(b) to the back of the vehicle, while PO Keegan searched the vehicle due to the smell of marijuana. PO Mauro patted down § 87(2)(b) jacket and pants pockets, although he did not enter them, to determine if he had any marijuana or other contraband on his person. He did not conduct a search of § 87(2)(b) genital area and did not observe an officer do this. He stated that § 87(2)(b) was acting irate at the back of the vehicle and told him that he had been drinking, although he did not acknowledge smoking marijuana [BR13].

PO Keegan's CCRB testimony was consistent with PO Alvarado and PO Mauro's testimony. After smelling the odor of both lit and unlit marijuana, he and the other officers instructed § 87(2)(b) and the other occupants of the vehicle to step out. He did not recall if he or the other officers frisked § 87(2)(b) but stated that it was normal procedure to do so when an odor of marijuana is present. He did not place his hands down § 87(2)(b) pants and search his genital area, nor did he see any officer do this. While § 87(2)(b), PO Mauro, and PO Alvarado were at the rear

of the vehicle, PO Keegan searched the car due to the smelling the odor of marijuana; he stated that there was no other reason he searched the vehicle. He began at the passenger side but did not recall where exactly he searched. He did not reach the driver side or the trunk, as he heard a commotion behind, which required him to stop [BR14].

PO Keegan's BWC captures him informing § 87(2)(b) at 00:30 minutes that he smells weed coming from the vehicle. At 00:45 minutes, PO Keegan asks § 87(2)(b) to step out of the vehicle, and he complies. At 1:08 minutes § 87(2)(b) accuses PO Keegan of going into his pockets, although this is not seen on the BWC [BR05].

From 1:25 minutes to 1:55 minutes, PO Alvarado's BWC shows him telling § 87(2)(b) to relax and that he was smoking and drinking, which § 87(2)(b) denied. At 1:40 minutes, PO Alvarado tells § 87(2)(b) to calm down and that he is making it "hot for yourself", to which § 87(2)(b) responds that he does not care. At 1:44 minutes, PO Alvarado pats § 87(2)(b) on the stomach and comments that he appears intoxicated. At 3:17 minutes, PO Alvarado reaches out to frisk § 87(2)(b) who pushes his hands away [BR03].

At 00:12 minutes, § 87(2)(b)'s cellphone footage shows PO Keegan frisking § 87(2)(b) after asking him to step out of the vehicle. At 2:50 minutes, § 87(2)(b) has a back and forth with PO Alvarado and PO Mauro, who are attempting to frisk him. § 87(2)(b) tells the officers not to put their hands on him and turns to walk towards the side of the vehicle; as he does so, PO Alvarado reaches out and taps § 87(2)(b) on the shoulder, to which upsets § 87(2)(b) [BR07].

After reviewing his BWC footage, PO Alvarado stated that there was no reason as to why he patted § 87(2)(b) on the stomach. He did not provide any context regarding this point in this incident [BR12].

A Google Maps search showed that there is a sign indicating that between 1052 and 106 Anderson is a "No Parking Anytime" area. [BR15].

As per Patrol Guide Procedure 212-11, a stop may be conducted only when a police officer has an individualized suspicion that the person stopped has committed, is committing, or is about to commit a felony or Penal Law misdemeanor [BR16].

People v Chestnut (1974), 43 A.D.2d 260 rules that the odor of marijuana is sufficient to provide police officers with probable cause to search an automobile and its occupants [BR17].

As per Patrol Guide Procedure 203-09, a member of service must interact with members of the public in a professional manner during law enforcement activities [BR18].

NYPD Patrol Guide Procedure 221-02 defines de-escalation as "taking action to stabilize the situation and reduce the immediacy of the threat so that more time, options, and/or resources become available. The goal is to gain voluntary compliance of the subject, when appropriate and consistent with personal safety, to reduce or eliminate the necessity to use force [BR19].

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation (K) Force: Police Officer Andrew Alvarado used physical force against § 87(2)(b)

Allegation (L) Force: Police Officer Adam Keegan used physical force against § 87(2)(b)

Allegation (M) Force: Police Officer Vincent Mauro used physical force against § 87(2)(b)

Allegation (N) Force: Police Officer Andrew Alvarado used physical force against § 87(2)(b)

Allegation (O) Force: Police Officer Adam Keegan used physical force against § 87(2)(b)

Allegation (P) Force: Police Officer Vincent Mauro used physical force against § 87(2)(b)

Allegation (Q) Force: Police Officer Adam Keegan used physical force against § 87(2)(b)

In § 87(2)(b) CCRB testimony, he stated § 87(2)(b) approached the officers, maintaining about a three to four feet distance as the officers searched him; the officers instructed § 87(2)(b) to step back and she stopped. One of the officers, either PO Alvarado or PO Keegan made physical contact with § 87(2)(b). § 87(2)(b) stated that the interaction “happened so fast” and could not recall precisely what actions the officers took with § 87(2)(b) but believed that one of the officers flung his hand back, hitting her in the face. § 87(2)(b) stated that at one point PO Alvarado and PO Mauro had pushed and elbowed § 87(2)(b) and pushed § 87(2)(b). At one point, the officers pushed § 87(2)(b) against the police vehicle, arrested her, and removed her from the scene. § 87(2)(b) and § 87(2)(b) later went to the 44th Precinct stationhouse, where they were denied entry and § 87(2)(b) was arrested, although he did not know what for. § 87(2)(b) was released in three to four hours and § 87(2)(b) was released the following day [BR09].

§ 87(2)(b) testified that, after three to four minutes after the officers approached the vehicle, § 87(2)(b) approached the officers with a confused demeanor. Either PO Alvarado or PO Keegan grabbed § 87(2)(b) by her arms and threw her against a car. She did not hear any of the officers say anything to § 87(2)(b) prior to this. § 87(2)(b) moved in between § 87(2)(b) and the officers, with her arms outstretched in a “T” shape. At this point, PO Alvarado began pushing § 87(2)(b) and § 87(2)(b) back with both hands. § 87(2)(b) did not see § 87(2)(b) make any physical contact with the officers. PO Keegan was physically holding onto § 87(2)(b) during this. After about a minute, § 87(2)(b) was arrested, which § 87(2)(b) stated was for disorderly conduct. § 87(2)(b) and § 87(2)(b) went to the 44th Precinct stationhouse, where she was ultimately arrested for an outstanding warrant after an officer ran her information. § 87(2)(b) was ultimately taken to Bronx Central Booking [BR10].

§ 87(2)(b) testified that she approached the officers and was about two feet from § 87(2)(b) when PO Alvarado grabbed her from behind, although she could not recall where, and was pulled to the back of the vehicle. She had not made any physical contact with officers prior to this. She stated that, at this point, she did not know that PO Alvarado was an officer and went into “defense mode” and did not remember what actions she took when she was grabbed. § 87(2)(b) then placed herself in between § 87(2)(b) and PO Alvarado. PO Keegan, who was by § 87(2)(b) approached § 87(2)(b) and § 87(2)(b) and pushed them multiple times on their chest, towards

the sidewalk. At one point, § 87(2)(b) was pushed onto a van; § 87(2)(b) screamed at the officers that § 87(2)(b) was a kid and attempted to get to her but was pushed back by PO Keegan. He then grabbed her, pushed her forward in between himself and PO Alvarado, and then handcuffed her. She was taken to the 44th Precinct stationhouse [BR11].

PO Alvarado was at the rear of the vehicle for about five minutes, speaking with § 87(2)(b) while PO Keegan searched the vehicle, when § 87(2)(b) approached the officers, screaming. He held out his hands to keep her from approaching and she pushed them out of the way. He told § 87(2)(b) approximately two times to move back. § 87(2)(b) then spat at the officers; her spit landed on PO Alvarado's uniform, right below his neck. She only spat at the officers once; PO Alvarado did not know if her spit landed on any other officers. PO Alvarado then placed her hands behind her back and handcuffed her; § 87(2)(b) did not resist being handcuffed. He stated that he did not use any force against § 87(2)(b) during the incident. He did not recall what § 87(2)(b) was doing during this and stated that neither § 87(2)(b) nor any other individual approached the officers during the incident. PO Alvarado and the other officers then transported § 87(2)(b) to the 44th Precinct stationhouse [BR12].

PO Mauro was consistent with PO Alvarado's testimony. § 87(2)(b) approached PO Mauro and PO Keegan, although he did not recall what she was saying while doing so. Additional members of the crowd approached them, who PO Mauro did not know, but stated that they came close to him at one point. He did not see § 87(2)(b) spit on PO Alvarado but heard PO Alvarado say that she had done so. PO Mauro and PO Alvarado then went to arrest § 87(2)(b). § 87(2)(b) attempted to intervene, and PO Mauro pushed him back to prevent this. He did not recall if § 87(2)(b) approached the other officers. He did not know if PO Keegan was still conducting the car search but believed that he assisted in arresting § 87(2)(b). Once § 87(2)(b) was handcuffed, the officers transported her to the 44th Precinct stationhouse, where she was released with summons [BR13].

PO Keegan stated that once he heard the crowd getting loud, he stopped conducting the search and moved away from the vehicle. He saw § 87(2)(b) approach PO Alvarado and PO Mauro; he believed that additional people approached with her, but he did not know who. He did not know if § 87(2)(b) approached as well, but he believed she was on scene. § 87(2)(b) and the other individuals ignored the officers' orders to step back. PO Keegan then went to stand behind PO Alvarado and PO Mauro. § 87(2)(b) then spat at PO Alvarado; PO Keegan stepped forward and informed her that she could not spit at officers, grabbed her arm, and handcuffed her. He did not use any physical force to handcuff her and stated that § 87(2)(b) was not resistant. PO Keegan stated that it was possible other crowd members approached after she was arrested, but the officers immediately placed § 87(2)(b) in the car and transported her off scene. He was unable to conclude the vehicle search, as the situation had escalated, and the officers' concern had shifted to transporting § 87(2)(b) off scene [BR14].

At 2:03 minutes, cellphone footage from an unknown witness on scene depicts § 87(2)(b) approaching PO Mauro and PO Keegan from behind, while their backs are turned, walking past PO Alvarado and moving in between the officers. She taps one of the officers on the shoulder and PO Alvarado pulls her back. § 87(2)(b) then approached the officers and PO Alvarado pushes § 87(2)(b) and § 87(2)(b) back multiple times. At 2:49 minutes, PO Mauro is seen placing his arm on § 87(2)(b) chest and pushing him back. At 3:00 minutes, § 87(2)(b) is arrested [BR08].

PO Alvarado's BWC shows § 87(2)(b) approaching the officers at 3:41 minutes, saying, "wait a minute, wait a minute". PO Alvarado then grabs her [BR02]. PO Keegan's BWC shows § 87(2)(b) spitting at the officers at the 4:10 minute mark. PO Keegan then grabs her and says, "Yeah. You can't spit on us" [BR05]. None of the officers' BWC clearly shows the physical altercation between § 87(2)(b) and the officers [BR02 through BR06].

PO Alvarado was shown the witness's cellphone footage of the incident. PO Alvarado stated that he did not recognize § 87(2)(b) from the video. During the interview, after the investigation identified § 87(2)(b) from the footage, PO Alvarado stated that § 87(2)(b)

approached them aggressively, pulled on his sweatshirt, and they needed to create a zone of safety for themselves, as they were in the middle of an investigation. He declined to add anything further to his testimony regarding his interaction with § 87(2)(b). The investigation also identified § 87(2)(b) to PO Alvarado and he was captured pushing her on the video, but he declined to add anything else to his testimony regarding his interaction with her and did not clarify whether he recalled this interaction or not [BR12].

PO Mauro was also shown the cellphone footage of the incident. He was initially unable to recognize § 87(2)(b) on the video. During the interview, after the investigation identified § 87(2)(b) on the video, PO Mauro explained that § 87(2)(b) approached them from behind while they were in the middle of an active car stop, and that PO Alvarado pulled her away to protect themselves, as they did not know who § 87(2)(b) was or why she was approaching them. At 2:17 minutes, PO Mauro explained that he was attempting to de-escalate the situation and at 2:24 minutes, § 87(2)(b) spit at them while being pushed back by PO Alvarado and PO Keegan. At 2:53 minutes, PO Mauro stated that he pushed § 87(2)(b) back because he was attempting to intervene with § 87(2)(b)'s arrest [BR13].

After reviewing the cellphone footage, PO Keegan stated that from 1:48 minutes to 2:45 minutes, the officers were telling civilians to step back, which they refused to do. PO Keegan also testified that PO Alvarado grabbed § 87(2)(b) to keep her from approaching them [BR14].

As per Patrol Guide Procedure 221-01, a member of service may use force when it is reasonable to ensure the safety of a member of service or a third person, or otherwise protect life, or when it is reasonable to place a person in custody to prevent escape from custody. In determining whether the use of force is reasonable, members of the service should consider the nature/severity of the crime/circumstances, actions taken by the subject, duration of the action, immediacy of the perceived threat or harm to the subject, members of service, and/or bystanders, whether the subject is actively resisting custody or attempting to evade arrest by flight, number of subjects in comparison to MOS, size, age, and condition of the subject in comparison to MOS, subject's violent history (if known), presence of hostile crowd/agitators, and if the subject is apparently under the influence of a stimulant/narcotic which would affect pain tolerance or increase likelihood of violence [BR20].

§ 87(2)(g)

[REDACTED]

Allegation (R) Untruthful Statement: Police Officer Andrew Alvarado provided a false official statement to the CCRB.

During his CCRB interview, PO Alvarado initially maintained that he did not make any physical contact with § 87(2)(b) during the incident. Cellphone footage of the incident clearly shows PO Alvarado pushing § 87(2)(b) along with § 87(2)(b) from the 2:04 minute mark to the 2:35 minute mark [BR08]. After reviewing the cellphone footage of the incident, in which the investigation identified § 87(2)(b) to PO Alvarado, he declined to add anything else to his testimony regarding his interaction with her. When the investigation commented that the video seemed to show him pushing § 87(2)(b) PO Alvarado maintained that he did not have any physical interaction with her [BR12].

According to Patrol Guide Procedure 203-08, a false official statement is defined as an intentional statement that a member of service knows to be untrue, which is material to the outcome

of an investigation, proceeding, or other matter in connection with which the statement is true [BR21]. DCT Case 2016-16097, a false statement that merits Departmental discipline must not be a “mere denial of an administrative charge of misconduct” but a statement that constructs a “false description of events” about a material matter [BR22].

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint § 87(2)(b) has been party to [BR23].
 - § 87(2)(b) has been party to one other CCRB complaint [BR24].
 - § 87(2)(b) has been party to three other CCRB complaints [BR25].
 - PO Alvarado has been a member of service for four years and has been a subject in five CCRB complaints and 14 allegations, two of which were substantiated:
 - Case #201900379, a search of premises and discourtesy – word allegation was substantiated and the Board recommended formalized training. The NYPD imposed instructions.
- PO Alvarado is currently a subject in two open CCRB cases:
- Case #202002737, in which a physical force, interference with recoding, refusal to obtain medical treatment, § 87(2)(g) and discourtesy – word allegation is pled, is currently under investigation.
 - Case #202007835, in which a frisk, search of a person, vehicle search, and vehicle stop allegation is pled, is currently under investigation.
- PO Keegan has been a member of service for five years and has been a subject in three prior CCRB complaints and six allegations, none of which were substantiated. § 87(2)(g) He is the subject in an open CCRB case:
 - Case #202002737, in which § 87(2)(g) refusal to obtain medical treatment, § 87(2)(g) is pled, is currently under investigation.
- PO Mauro has been a member of service for five years and has been a subject in nine CCRB cases and 15 allegations, six of which were substantiated:
 - Case #201808753, in which a interference with recording, search of premises, seizure of property, threat of arrest, and discourtesy – word were substantiated and the Board recommended Command Discipline A. The NYPD upheld the Board’s recommendation.
 - Case #201901734, in which a threat of arrest was substantiated and the Board recommended Command Discipline A. The NYPD imposed formalized training.

Mediation, Civil and Criminal Histories

- Mediation was declined for this complaint.
- According to the New York City Office of the Comptroller, no party involved filed a Notice of Claim for this incident [BR26].
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Squad No.: 8

Investigator: Genevieve Lamont Inv. Genevieve Lamont 6/22/2021
Signature Print Title & Name Date

Squad Leader: Patrick Yu SI Patrick Yu 06/22/2021
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date